

****AMENDED****
MINUTES OF MARION CITY COUNCIL REGULAR MEETING
CITY COUNCIL CHAMBERS
OCTOBER 14, 2014
6:30 P.M.

A regular meeting was held by City Council on October 14, 2014 at 6:30 p.m. over which Mayor Bobby L. Davis presided. Council members Michael Baker, Ronald Atkinson, Ralph Atkinson, Odessa Gregg, Emerson Hunt and Joseph Frazier were present. Also present were City Administrator Alan Ammons, City Treasurer Patricia Brown, City Clerk Pam Jones, and Attorney Kristina Jones-Catoo from Boykin –Davis Law Firm.

Mayor Davis called the meeting to order and Councilwoman Gregg gave the opening prayer. Mr. Ammons led the Pledge of Allegiance. Mayor Davis welcomed citizens, guests and the press. (Hometown TV)

Councilman Joseph Frazier made a motion to accept the minutes from the regular meeting on September 9, 2014 and special meeting on September 19, 2014, seconded by Councilman Michael Baker; motion carried.

On behalf of the City of Marion, Mayor Pro-tem Ronald Atkinson presented a Resolution to honor Coach Bob Rankin on his induction into the 2014 inaugural class of the South Carolina Football Coaches Hall of Fame, in addition to his 25 years at the helm of Marion Swamp Fox football. The Resolution was read by City Clerk Pam Jones and presented to Mr. Binky Rankin, who accepted on behalf of his father. Mr. Rankin read a letter of thanks from Coach Rankin.

Mike Richardson, Building Maintenance, was recognized as the *September Employee of the Month* and presented with a gift certificate. Mayor Davis thanked him for his hard work in getting the Police station in tip top shape and for his dedication to the City.

Mayor Bobby L. Davis presented Dr. Charles McRae with the Mayor's Beautification Award and thanked him for helping keep Marion clean and beautiful. Dr. McRae thanked him for the award and commented that everyone should always keep their trash picked up and keep Marion clean.

Councilman Ralph Atkinson made a motion to accept the Mayor's request for a Resolution for Taylor's Barber Shop for their 100th year in business, seconded by Councilman Joseph Frazier; motion carried. The Resolution will be presented at the November 10, 2014 Council meeting.

Ms. Georgette Washington, Marion County Schools Parent Liaison, made a donation request for the Positive Behavior Incentive Program for Marion Intermediate School. Ms. Melanie Dozier, MIS Assistant Principal, was also present to discuss the program and how it has improved student behavior. Mayor Davis will give a monetary donation and would also go to the school and mentor. Councilman Hunt has donate, and will to continue to donate, to the program and will help in any way he can and will personally donate \$100 and asked that any Council members than can, be willing to help. Councilman Emerson Hunt made a motion that the City not financially contribute to this project as the City would not be able to donate to each school, seconded by Councilman Ralph Atkinson. Councilwoman Odessa Gregg will also give a personal donation to the program. Councilman Hunt commented that this was in no way a rejection of what the program will accomplish, but a similar request from another group was denied and this could put us in a bad situation. He thanked them for their presentation. Mayor Davis stated that he had spoken with the Clerk and it was nothing new for her to help work towards helping the school children with coats and school supplies. The City will partner with Ms. Washington, and Ms. Jones will help bring in the coats and monetary donations for the coat drive. Mayor Davis stated that Ms. Jones will always volunteer for a good cause and he will stand behind her and what she does to help our kids. The motion carried.

Councilman Michael Baker made a motion to allow the use of Grice's Recreation Center to Ms. Nouvella Davis for the Breast Cancer Awareness Walk on October 25th, seconded by Mayor Pro-tem Ronald Atkinson; motion carried.

Mr. Junior Reaves gave a presentation to Council regarding J & S Taxi Service, which he and his wife are planning to open in Marion. Mr. Ammons told Council that our Ordinance requires that anyone with the intention of opening a taxi service has to have prior approval by Council. Regarding a question from Councilman Baker, Mr. Ammons responded that everything had been checked and was now waiting on Council's approval. Councilman Emerson Hunt made a motion to allow them to go through the application process to start, seconded by Councilman Michael Baker; motion carried. Mayor Davis welcomed them to the City of Marion and asked that they come on a future Swamp Fox Country show to promote their business.

Mr. Ernest Davis, representing the Door of Hope HallowFEST event, was present to withdraw the request for City funding for their event. It was never their intention to cause any kind of conflict within Council or the City. Ms. Diane Davis, CEM of Door of Hope Christian Church read a letter from Bishop Michael Blue and the church family to publicly rescind and fully withdraw their request for the City Council's support of the HallowFEST in any way. **In this letter, Bishop Blue thanked Councilwoman Gregg and Mayor Davis for their personal contributions to this event.** Mayor Davis thanked Door of Hope for all they do for the community and asked that they pass that along to Bishop Blue.

Mayor Davis asked that all members of the Neighborhood Watch come forward for Captain Cindy Barr's Neighborhood Watch Presentation. Captain Barr thanked City Clerk Pam Jones for sending out her info to the Council members. She asked that each Council member provide names of those who will help with a neighborhood watch in their area. She has been talking to people (4-5 in each area) who are interested in starting a neighborhood watch. Captain Barr is anxious to get citizens involved so that we will be able to watch out for each other. Mayor Davis thanked the District 4 Neighborhood Watch for all they are doing and encouraged other districts to work with Captain Barr to get a watch started in every neighborhood.

Ms. Lisa Seabrook, PDRTA's Marion Board Member, was present to discuss the PDRTA service between Marion and Myrtle Beach and how important it is to the residents of Marion County who use the bus service daily to get to their jobs in Myrtle Beach. She stated that without this service, many local residents will be unemployed. Councilman Emerson Hunt wants to find a way to help these citizens so that they will be able to continue working to provide for their families. Mr. Don Strickland from PDRTA stated that without help, the bus service will be cut off in early November. Mayor Davis stated that he wants help keep our citizens working and has met with Mr. McNeil, Mayor McMillan and Mr. Tucker with the Hospital Foundation. Councilman Ralph Atkinson stated that based on his understanding PDRTA is requesting is from Marion County an additional \$1,400 subsidy per average rider and PDRTA would get matching funds from Department of Transportation or wherever the money comes from. He further stated that it is a wonderful program and public transportation is a lot cheaper than private transportation, but as the Mayor stated, we are on a short budget. Councilman Atkinson commented that he also knows these citizens want to and need to work, but a lot of folks are paying to go to work in their own private vehicle and are not getting that subsidy. He further commented that he thinks this is a wonderful program and like to help, but since June, he has voted NO on numerous things due to the fact

that he doesn't know where the City would get the money for funding. After further discussion, Councilman Michael Baker made a motion to go forward with the \$4,000 as requested, contingent upon getting the same funds from Marion County, Mullins and the Hospital Foundation, seconded by Councilman Emerson Hunt. The motion carried **4-2** with Mayor Bobby L. Davis, Council members Michael Baker, Emerson Hunt, Odessa and Joseph Frazier voting **yes** and Mayor Pro-tem Ronald Atkinson and Councilman Ralph Atkinson voting **no**.

Mr. Lance Gurley was present to discuss a Recreation Department Coaching Appeal, but at the advice of his attorney, withdrew the request. However, he asked to make a comment regarding coaching at the Rec. Mayor Davis allowed him to proceed. Mr. Gurley commented that the City of Marion has a certain standard of excellence that they want to display at all times, but he also thinks there is a certain standard of fairness that should also be carried at all times. He commented that he thinks it only fair that ALL coaches for all sports and all referees for all sports, should have to turn in applications and have background checks. Mayor Davis commented that the league referees have already had background checks. Mr. Frank Page, Athletic Director, also commented that those who are part of the High School Association have already been vetted. Mayor Davis stated that he wanted fairness and anyone who had not had a background check would have one. Mr. Gurley thanked Mayor Davis and commented that fairness was all he wanted. Councilman Hunt commented to Mr. Gurley that he knows how dedicated he is and how hard he works and suggested that he listen to the advice of his attorney in order to get the best opportunity he can. Mayor Davis commented that he would stand behind the Recreation Director, and promised that he will always be fair to everybody.

At the request of some Council member at the last meeting, Mrs. Rose Massey and Ms. Gwendolyn Williamson were present to answer questions from Council regarding the After School Program at Grice's. Councilman Hunt commented that he is grateful and thankful for anyone who does anything for our youth. He further commented that some of the problems some Council members had with the last group, who was non-profit, is they were not paying any utilities; they did have insurance as it was a requirement. Mrs. Massey replied that were group was also non-profit and that any proceeds went back into the program. She further replied that she had insurance for the Academy and the Music School, but no insurance at Grice's as she is certain it is City insured and this has always been a City program and a volunteer program. Councilman Hunt asked if everyone was allowed in the program to which Mrs. Massey responded, "absolutely". Mrs. Massey asked to update Council; the ABC Voucher Program is state sponsored (DSS) and she was hoping to be able to charge \$50 per child per week for the

children to be able to be tutored, piano lessons, computer science, ballet, voice lessons, piano, arts and crafts. Many parents contacted the ABC Voucher Program and were told they must apply for their ex-spouses to pay child support or for them to apply for other funding before ABC vouchers were instituted. Mrs. Massey stated that rather than using ABC vouchers, she would rather take less and do the bare minimum. She has to pay teachers to tutor. The budget for charging \$15 per week per child is used for snacks, healthy drinks, and hot meals for supper plus all the programs previously mentioned. Councilman Hunt is trying to clarify what is going on so that he will know the answers to give when asked these questions by his constituents. Mrs. Massey commented that this program is very similar to the summer program in that it is voluntary and only ones being paid are the teachers coming on board after school and one person by AARP. Councilman Ralph Atkinson asked if the revenue coming in was going through the City Treasurer's book, since it's a City program or through somebody else's books. Mrs. Massey responded that there is not revenue and the teachers are not hired by the City nor are they employed or insured or paid by the City; they are volunteers. Ms. Gwendolyn Williamson was present to speak on how much her children enjoyed the summer program and the afterschool program. They had previously attended the Boys & Girls Club (B&G) and were distraught when it shut down, but enjoyed these City programs even more. Mayor Davis commented that this has never been a private program and has always been a City sponsored type program, which the City did not pay anything for. The Healthcare Foundation provided a \$5,000 grant to take the summer camp kids to the waterpark. Mayor Davis thanked Mrs. Massey for everything and stated that anything he and some Council members can do, they will be there to support the program. Mayor Davis has asked the Hospital Foundation if the money left over from the trip to the waterpark can be used for a luncheon for all the volunteers from the summer program as a show of thanks for their hard work. He will let Mrs. Massey know as soon as he hears back from the Foundation. Mrs. Massey stated that over 6,000 books had been moved from the Academy to Grice's to create a fine arts library and a piano from the music school has also been moved. Six computers from the Academy were also put into Grice's for the children's use. There is no cost to the City and arts and craft supplies are supplied by Mrs. Massey. All Council members are invited to stop by Grice's at any time. Mayor Pro-tem Ronald Atkinson inquired as to how moving all the books, computers, etc. into Grice's affected the individual child not in the program; that's why we had a problem with the Boys & Girls Club, other neighborhood kids who wanted to go in the Rec and play were not allowed. Mrs. Massey responded that she had never turned a child away. Mayor Pro-tem Atkinson asked how it affected her group if a child wants to go in and play with the games/equipment that the City bought. When it was the B&G Club it offended people because children couldn't go in there and do that. Councilman Baker commented that the books and piano were in a

room and that the wide open space for recreation (ping pong & pool table) has not changed. Mrs. Massey asks that parents fill out an application so they know where their child is and who is taking care of them. Councilman Hunt fee asked about the \$15 fee per week and stated there was a \$15 fee per semester for the Boys & Girls Club and it was a great demand from several members of this Council, Mayor included, that every child should go for free, with no one in the City of Marion should be charged. Councilman Hunt stated that when it was a \$55 fee for kids to go to the B&G Club, they could not afford \$55 for the summer, but now they can afford \$60 for the month which is actually more than \$55 for the summer. Councilman Hunt further stated he did not see the same vigor and demand that everyone go for free that was seen a few months ago. Councilman Hunt commented that he thinks the program is great but does not want Council to be hypocrites; in one stroke we say it's the Recreation Center and we want it to be free for everyone and the next stroke it's ok to charge \$60 a month. Councilman Hunt stated it is now on the record that we have a difference of opinion about the cost, and it's nothing against Mrs. Massey. Councilman Hunt further stated that he has no problem with Mrs. Massey charging for those services provided, people should pay for using services and \$15 is reasonable; the problem is that last year there was a demand that people go for free. Mayor Pro-tem Atkinson asked if this was the same program Mrs. Massey had at her music school, to which she replied that it was not. Mrs. Massey stated that she is trying the help the City with a program she volunteered to do in the summer and carry it on through the fall. Councilman Ralph Atkinson would still like clarity on whether any money was coming in and if it was going through the City treasury and who was paying what; five minutes ago there wasn't any money and now it is \$15 per child per week. Councilman Atkinson asked that since this is a City program, is that money was going through the City Treasurer? Mrs. Massey responded that is what they are hoping to charge but at this time they don't have the children to charge. Mrs. Massey stated that the eventual \$15 per child would not go through the City Treasurer, to which Mayor Davis agreed. Councilman Atkinson stated that he is trying to get clarity and wants to understand what's going on because this has not been brought before Council and has not been voted on, not that we have to vote on it, but as a Council member and taxpayer, where are we going with this thing? Is this a City program? Mayor Davis responded that the City was partnering with Mrs. Massey and the Committee that is running the program for us. Mayor Pro-tem Atkinson asked Ms. Williamson if she was paying for her children to attend the after school program to which she responded that she was. Mrs. Massey replied that all the other children were Academy students and they were not paying anything. Mayor Davis asked the City Clerk to pull the minutes of when the end of the Summer Program was announced and we were going into the After School Program. Mayor Davis wanted to make sure we had no misunderstanding. Councilwoman Gregg commented that the main complaint she heard

regarding the B&G Club was that the children of Marion couldn't use the Center at all during the summer. She further commented that the citizens felt that if they were paying for utilities and taxes, it was not fair that their children couldn't come, and only 50 or 60 children in the B&G Club had access to the building. Councilwoman Gregg saw firsthand that children who were not in the B&G Club were kept out of the building. Mayor Davis stated that Mrs. Massey clarified that there is no child being turned away now. Mayor Davis thanked Councilwoman Gregg, Ms. Williamson, and Mrs. Massey for their comments and also Mrs. Massey for caring about our kids.

Councilman Ralph Atkinson made a motion to accept 1st Reading on ***ORDINANCE 14-09, AN ORDINANCE ADOPTING THE INTERNATIONAL FIRE CODE (IFC)***, seconded by Mayor Pro-tem Ronald Atkinson; motion carried.

Mayor Pro-tem Ronald Atkinson made a motion to accept the high bid of \$67,500 on the Cheezem property, seconded by Councilman Emerson Hunt. The bid was made by Jackie and Loretta McGill and will close in 60 days. Motion carried.

ADMINISTRATOR'S REPORT

Mr. Ammons commented that the Tollison Center and Elementary gyms were on schedule and would be completed before the Movie Premier in November.

Mr. Ammons commented that the next Council meeting is scheduled for Tuesday, November 11th, which is Veteran's Day, and the City will be closed that day to honor our veterans. He further commented that Marion County re-scheduled their meeting to Monday, November 10th. After consideration, Councilman Joseph Frazier made a motion to re-schedule the City Council meeting to Monday, November 10th at 6:30 p.m., seconded by Councilman Emerson Hunt; motion carried.

Mr. Ammons stated that the sidewalk repairs around the City are underway. Dunlop Street has been started and preparations are being made to start on Eutaw Street. The paving project on Southwood and Cartrell Brown is being advertised now.

CITY ATTORNEY'S LEGAL UPDATE

The City Attorney had nothing to report at this time.

DEPARTMENTAL REPORTS

Mayor Davis stated that the Department Reports are sent out in Council packets. Chief Trey Cooper commented that last week was Fire Prevention Week and the firemen have reached over 1,400

kids. They provided a puppet show, smoke house and a hot dog lunch for the local daycares who visited the fire station. Mayor Davis thanked Chief Cooper, Assistant Chief McKenzie and the staff for the great program that was presented.

DISTRICTS AND CITY UPDATE FROM COUNCIL AND MAYOR

Councilman Emerson Hunt had no comment at this time.

Councilwoman Odessa Gregg stated that some citizens have asked for a diversity breakdown according to Caucasian, African-American and others for the Police Department, Fire Department, City Hall, Recreation and all other departments. Mr. Ammons will get that information for Councilwoman Gregg. Councilwoman Gregg stated that some citizens are concerned about the process involved in bond hearings at the Police Department and are not being properly notified so they can go in and hear what they need to know when someone is transferred from the jail to the courtroom. She suggested that when someone goes for a hearing, they are given a sheet with information on what the process is, what to follow, what time to be there and what area to report to.

Councilman Ralph Atkinson had no comment at this time.

Mayor Pro-tem Ronald Atkinson had no comment at this time.

Councilman Joseph Frazier had no comment at this time.

Councilman Michael Baker commented that he had already spoken with the Administrator and concerns in his area are being addressed.

Mayor Davis stated that the State of the City Address would be given at the Lunch and Learn on October 23rd at the Opera House. The event is sponsored by HMRA and lunch will cost \$5.00. Mayor Davis will also present the same information at the next Town Hall meeting. Another movie will begin filming in Marion on November 10th. Mayor Davis has asked for a grant from the Foundation to help with a "Welcome" sign near Beneteau and also across from the Police Department and the other monies will come from tourism, as before. Reverend Larry Williams and the Tabernacle of God Ministries Mobile Food Bank will be at Grice's on October 17th. From 11 a.m. to 2 p.m. Marion County Youth Day will be held on October 18th, beginning at 10:30 a.m. at Marion City Hall, with a march to at C. D. Joyner, where the activities will take place from 11 a.m. to 5 p.m. Mayor Davis thanked Ronnie and Winky for tearing down and cleaning up nuisance properties. We are going to start preparing for our next employees luncheon and will advise Council when it will be held.

EXECUTIVE SESSION

Councilman Joseph Frazier made a motion to enter Executive Session to for legal advice regarding a personnel matter in the Police Department and legal advice regarding the Recreation Department, seconded by Councilman Michael Baker; motion carried.

Upon returning from Executive Session, Mayor Davis stated that no action was taken. Councilman Ralph Atkinson made a motion to enter regular session, seconded by Councilman Joseph Frazier; motion carried.

Regarding the MPD Grievance Hearing, Councilman Michael Baker made a motion to deny the request and that whatever was in that record actually remain there, none of this should have ever gone to the Grievance Committee and once that employee was terminated, whatever was there should have remained. The motion was seconded by Councilman Joseph Frazier. Councilman Hunt commented that the terminology used was “terminated” when the employee actually left voluntarily, to which Mayor Davis concurred. The motion carried **4-3**, with Mayor Bobby L. Davis, Council members Michael Baker, Odessa Gregg and Joseph Frazier voted **yes** and Mayor Pro-tem Ronald Atkinson and Council members Ralph Atkinson and Emerson Hunt voted **no**.

ADJOURNMENT

With no further business to discuss, Councilman Ralph Atkinson made a motion to adjourn, seconded by Councilman Joseph Frazier; motion carried.

Mayor Bobby L. Davis

City Clerk Pam Jones

Taped October 14, 2014